

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

WILLIAM MERRITT,

Defendant.

**8:17CR220**

**ORDER**

This matter is before the court on the defendant's Amended Motion to Continue Trial [23]. Counsel is seeking additional time to negotiate a plea with the government. Defendant shall comply with NECrimR 12.1(a). For good cause shown,

**IT IS ORDERED** that the Defendant's Motion to Continue [22] is denied as moot, the Amended Motion to Continue Trial [23] is granted; as follows:

1. The jury trial, now set for October 11, 2017 is continued to **December 12, 2017**.
2. The defendant shall file an affidavit required by paragraph 9 of the progression order and NE.CrimR 12.1(a) forthwith.
3. In accordance with 18 U.S.C. § 3161(h)(7)(A), the court finds that the ends of justice will be served by granting this continuance and outweigh the interests of the public and the defendant in a speedy trial. Any additional time arising as a result of the granting of this motion, that is, the time between **today's date and December 12, 2017**, shall be deemed excludable time in any computation of time under the requirement of the Speedy Trial Act. Failure to grant a continuance would deny counsel the reasonable time necessary for effective preparation, taking into account the exercise of due diligence. 18 U.S.C. § 3161(h)(7)(A) & (B)(iv).

Dated this 29<sup>th</sup> day of September, 2017.

BY THE COURT:

s/ Michael D. Nelson  
United States Magistrate Judge